

**SUPREME COURT MINUTES
WEDNESDAY, SEPTEMBER 5, 2007
SAN FRANCISCO, CALIFORNIA**

S030402**PEOPLE v. TULLY (RICHARD)**

Good cause appearing, and based upon counsel James S. Thompson's representation that he anticipates filing the appellant's reply brief by March 31, 2008, counsel's request for an extension of time in which to file that brief is granted to November 5, 2007. After that date, only three further extensions totaling about 150 additional days will be granted.

S072316**PEOPLE v. GONZALES
(VERONICA)**

Good cause appearing, and based upon counsel Mark E. Cutler's representation that he anticipates filing the appellant's opening brief by October 11, 2007, counsel's request for an extension of time in which to file that brief is granted to October 11, 2007. After that date, no further extension will be granted.

S093456**PEOPLE v. THOMAS (ALEX)**

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to and including November 6, 2007.

S094890**PEOPLE v. MANIBUSAN
(JOSEPH KEKOA)**

Appellant's request for relief from default is granted. On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to and including October 26, 2007.

S095868**PEOPLE v. DANIELS (DAVID
SCOTT)**

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to and including November 6, 2007.

S122460**MAURY (ROBERT) ON H.C.**

Good cause appearing, and based upon Deputy Attorney General Brian Means's representation that he anticipates filing the respondent's informal response by February 9, 2008, counsel's request for an extension of time in which to file that brief is granted to November 7, 2007. After that date, only two further extensions totaling about 90 additional days are contemplated.

S147051 C047366 Third Appellate District**PEOPLE v. NELSON**

On application of respondent and good cause appearing, it is ordered that the time to serve and file respondent's answer brief on the merits is hereby extended to and including September 25, 2007. No further extensions of time will be granted.

S148270**CONLEY (CARAMAD) ON H.C.**

On application of petitioner and good cause appearing, it is ordered that the time to serve and file the reply to the informal response to the petition for writ of habeas corpus is extended to and including October 4, 2007.

S148440**ROSE (BRENDON) ON H.C.**

On application of petitioner and good cause appearing, it is ordered that the time to serve and file the petitioner's reply to the informal response is hereby extended to and including October 4, 2007

S150984 D046394/D048111/ D049238 Fourth Appellate District, Div. 1 **PEOPLE v.**
FREEMAN

On application of appellant and good cause appearing, it is ordered that the time to serve and file the answer brief on the merits is extended to and including September 29, 2007.

S152934 A107803 First Appellate District, Div. 4**CORAL CONSTRUCTION v.**
CITY OF SAN FRANCISCO

On application of respondent and good cause appearing, it is ordered that the time to serve and file the opening brief on the merits is extended to and including October 19, 2007.

S153233 F048765 Fifth Appellate District**PEOPLE v. SHADDEN**

Upon request of appellant for appointment of counsel, Laura P. Gordon is hereby appointed to represent appellant on the appeal now pending in this court.

S153533 C051926 Third Appellate District

PEOPLE v. WALKER

Upon request of appellant for appointment of counsel, Mark Christiansen is hereby appointed to represent appellant on the appeal now pending in this court.

S154192 A112109 First Appellate District, Div. 4

PEOPLE v. FONTENOT

Upon request of appellant for appointment of counsel, Leslie Prince is hereby appointed to represent appellant on the appeal now pending in this court.

S154232 B190668 Second Appellate District, Div. 4

PEOPLE v. WILLIAMS

Upon request of appellant for appointment of counsel, Shawn O'Laughlin is hereby appointed to represent appellant on the appeal now pending in this court.

S154422 F049654 Fifth Appellate District

PEOPLE v. ENGLISH

Upon request of appellant for appointment of counsel, Burton M. Loehr is hereby appointed to represent appellant on the appeal now pending in this court.

S154471 B192553 Second Appellate District, Div. 3

PEOPLE v. MARIANI

Upon request of appellant for appointment of counsel, the California Appellate Project is hereby appointed to represent appellant on the appeal now pending in this court.

S111336

FIGUEROA (VICENTE) ON H.C.

Pursuant to petitioner's request filed on September 4, 2007, the following exhibits filed in support of the petition for writ of habeas corpus filed on November 12, 2002, are ordered withdrawn: Exhibit 110 (Declaration of Bessie Gallardo); 94 (Declaration of Consuelo Cisneros); 160 (Declaration of Consuelo Fernandez Avila); 136 (Declaration of Daniel Vargas); 100 (Declaration of Ernesto Espinoza); 96 (Declaration of Ester Covarrubias); 129 (Declaration of Gloria Ramirez); 164 (Declaration of Jose Benigno Avila); 66 (Declaration of Juan Aguilar); 74 (Declaration of Luis Arriola Gaitan); 104 (Declaration of Manuel Figueroa); 127 (Declaration of Margarita Preciado Benavides); 101 (Declaration of Maria Espinoza); 105 (Declaration of Maria Figueroa Benavides); 102 (Declaration of Moises Estrada Ceja); 88 (Declaration of Oscar Campos); 119 (Declaration of Raul Martinez); 139 (Declaration of Ruben Verdugo); 137 (Declaration of Salvador Vargas); 151 (Declaration of Ricardo Weinstein, Ph.D.); 152 (Declaration of Amado Padilla, Ph.D.); 158 (Declaration of Pablo Stewart, Ph.D.); and 142 (Declaration of James M. Wood, Ph.D.).

S153940 D048156 Fourth Appellate District, Div. 1**CANOVA v. TRUSTEES OF
IMPERIAL IRRIGATION
DISTRICT EMPLOYEE**

The order filed on August 29, 2007, denying the petitions for review is amended to read, in its entirety: "The petitions for review are denied."

S155446**TAYLOR v. STATE BAR OF
CALIFORNIA**

The accusation against an attorney in case number S155446 filed as a petition for writ of mandate on August 16, 2007, is hereby stricken due to improper filing procedure.

S154333**SWANSEEN ON DISCIPLINE**

It is ordered that **JAMES P. SWANSEEN, State Bar No. 159918**, be suspended from the practice of law for two years, that execution of suspension be stayed, and that he be placed on probation for three years on condition that he be actually suspended for 60 days. Respondent is also ordered to comply with the other conditions of probation, including restitution, recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed May 3, 2007. If respondent is actually suspended for two years or more, he must remain actually suspended until he provides proof to the satisfaction of the State Bar Court of rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii) of the Standards for Attorney Sanctions for Professional Misconduct. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar in accordance with Business and Professions Code § 6086.10 and are enforceable both as provided in Business and Professions Code § 6140.7 and as a money judgment.

S154334**GRIFFIN ON DISCIPLINE**

It is ordered that **SUSANNE ANNE GRIFFIN, State Bar No. 146972**, be suspended from the practice of law for one year, that execution of suspension be stayed, and that she be placed on probation for two years on condition that she be actually suspended for thirty days. Respondent is also ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed May 17, 2007. It is further ordered that she take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar in accordance with Business & Professions Code § 6086.10, and one-half of said costs be paid with membership fees for the next two billing cycles. It is further ordered that if Susanne Griffin fails to pay any installment within the time provided herein or as may be modified by the State Bar Court pursuant to § 6086.10, subdivision (c), the remaining balance of the costs is due and enforceable both as provided in Business and Professions Code § 6140.7 and as a money judgment.

S154335**FERIA ON DISCIPLINE**

It is ordered that **KENNETH PETER FERIA, State Bar No. 221685**, be suspended from the practice of law for 18 months, that execution of the suspension be stayed, and that he be placed on probation for two years subject to the conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on May 17, 2007. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar in accordance with Business and Professions Code § 6086.10 and are enforceable both as provided in Business and Professions Code § 6140.7 and as a money judgment.

S154337**MONOS ON DISCIPLINE**

It is hereby ordered that **MARGARET E. MONOS, State Bar No. 146871**, be disbarred from the practice of law and that her name be stricken from the roll of attorneys. Respondent is also ordered

to comply with rule 9.20 of the California Rules of Court, and to perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* It is further ordered that respondent make restitution to the following clients within 30 days following the effective date of this order or within 30 days following the Client Security Fund payment, whichever is later (Rules Proc. of State Bar, rule 291): (1) to Mark Cronin in the amount of \$2,000 plus 10% interest per annum from July 1, 2005; (2) to Robert Wallace in the amount of \$1,600, plus 10% interest per annum from October 15, 2005; (3) to Stephen Ballasteros in the amount of \$2,000, plus 10% interest per annum from January 24, 2006; (4) to Efrain Diaz in the amount of \$2,000 plus 10% interest per annum from February 17, 2005; and (5) to Larry Hendrick in the amount of \$2,500 plus 10% interest per annum from July 19, 2005 (or to the Client Security Fund to the extent of any payment from the fund to Mark Cronin, Robert Wallace, Stephen Ballasteros, Efrain Diaz, or Larry Hendrick, plus interest and costs, in accordance with Business and Professions Code § 6140.5). Any restitution to the Client Security Fund is enforceable as provided in Business and Professions Code section 6140.5, subdivisions (c) and (d). Costs are awarded to the State Bar in accordance with Business and Professions Code § 6086.10 and are enforceable both as provided in Business and Professions Code § 6140.7 and as a money judgment. *(See Bus. & Prof. Code, § 6126, subd. (c).)

S154339**MOLINA ON DISCIPLINE**

It is hereby ordered that **JUAN ANTONIO MOLINA, State Bar No. 177982**, be disbarred from the practice of law and that his name be stricken from the roll of attorneys. Respondent is also ordered to comply with rule 9.20 of the California Rules of Court, and to perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar in accordance with Business and Professions Code § 6086.10 and are enforceable both as provided in Business and Professions Code § 6140.7 and as a money judgment. *(See Bus. & Prof. Code, § 6126, subd. (c).)

S154340**TODARO ON DISCIPLINE**

It is ordered that **MICHAEL HENRY MAURICE TODARO, State Bar No. 170248** be suspended from the practice of law for one year, that execution of the suspension be stayed, and that he be placed on probation for two years subject to the conditions of probation, including three months actual suspension, recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on May 16, 2007, as modified by its order filed June 28, 2007. It is also ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) It is further ordered that he comply with rule 9.20 of the California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.* It is ordered that costs be awarded to the State Bar in accordance with Business and Professions Code § 6086.10, and be payable in equal installments prior to February 1 with membership fees for the next three billing cycles following the effective date of this order. It is further ordered that if respondent fails to pay any installment within the time provided herein or as may be modified by the State Bar Court pursuant to § 6086.10, subdivision (c), the remaining balance of the costs is due and enforceable both as provided in Business and Professions Code § 6140.7 and as a money judgment.

*(See Bus. & Prof. Code, § 6126, subd. (c).)

S155924**DUNBAR ON RESIGNATION**

The voluntary resignation of **GEORGE W. DUNBAR, State Bar No. 145391**, as a member of the State Bar of California is accepted.

S155925**FLYNN ON RESIGNATION**

The voluntary resignation of **MARY ELLEN FLYNN, State Bar No. 118896**, as a member of the State Bar of California is accepted.

S155926**FRIGO ON RESIGNATION**

The voluntary resignation of **GREGORY ANTHONY FRIGO, State Bar No. 64097**, as a member of the State Bar of California is accepted.

S155927**JACKSON ON RESIGNATION**

The voluntary resignation of **TERESA L. JACKSON, State Bar No. 122906**, as a member of the State Bar of California is accepted.

S155928**LEONARD ON RESIGNATION**

The voluntary resignation of **THOMAS ALFRED LEONARD, State Bar No. 107367**, as a member of the State Bar of California is accepted.

S155929**LIBIDINSKY ON RESIGNATION**

The voluntary resignation of **JACK LIBIDINSKY, State Bar No. 64335**, as a member of the State Bar of California is accepted.

S155931**MACLEAN ON RESIGNATION**

The voluntary resignation of **MICHAEL ROBINSON MACLEAN, State Bar No. 61980**, as a member of the State Bar of California is accepted.

S155933**MAR ON RESIGNATION**

The voluntary resignation of **NORA KIM MAR, State Bar No. 102353**, as a member of the State Bar of California is accepted.

**SUPREME COURT OF CALIFORNIA
ORAL ARGUMENT CALENDAR
SPECIAL SESSION — SANTA ROSA
OCTOBER 2 and 3, 2007**

The following cases are placed upon the calendar of the Supreme Court for hearing at its Special Session at the Sonoma Country Day School, 4400 Day School Place, Santa Rosa, California on October 2 and 3, 2007.

OCTOBER 2, 2007 — 9:00 A.M.

Opening Remarks: Historic Special Session

S144753	Fashion Valley Mall, LLC v. National Labor Relations Board et al.
S049973	People v. Kelly (Douglas) [Automatic Appeal]

1:30 P.M.

S139237	City of Stockton et al. v. Superior Court of Sacramento County (Civic Partners Stockton, LLC, Real Party in Interest)
S134873	Hebrew Academy of San Francisco et al. v. Goldman et al. (<i>George, C.J. and Werdegarr, J., not participating; Mallano and Manella, JJ., assigned justices pro tempore</i>)
S067678	People v. Mendoza (Martin) [Automatic Appeal]

OCTOBER 3, 2007 — 9:00 A.M.

S105569	In re Bell (Ronald Lee) on Habeas Corpus
S123808	Rico et al. v. Mitsubishi Motors Corp. et al.
S131052	People v. Watson (Joey R.)

GEORGE

Chief Justice

If exhibits are to be transmitted to this court, counsel must comply with rule 8.224(c) (formerly rule 18(c)) of the California Rules of Court.